

Application No. 10/613,778
Art Unit: 3636

Remarks/Arguments

Corrected drawings are enclosed.

Claims 1 - 20 are presently pending.

Independent claim 1 has been amended to clarify that the child seat attachment is removably attached to the bicycle by the use of a front engagement mechanism that engages the handlebar stem of the bicycle and a rear clamp that attaches to the seat post of the bicycle. This allows the child seat attachment to be easily and quickly attached to a bicycle and just as easily and quickly removed from the bicycle. There is no attachment to the top tube or cross frame member of the bicycle, as those are frequently differing sizes, shapes and placements. The child seat attachment as claimed is easily mounted onto all or most bicycles regardless of the bicycle construction.

Claims 1, 4, 5, 8, 10, 13 – 15, 18, and 19 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,448,867 to Darden.

Darden discloses a child seat attachment for a bicycle. This seat attachment clamps a frame member that attaches directly onto the cross member 7 of the bicycle 6 not to the handlebar system or to the seat post of the bicycle. Thus, Darden clearly fails to disclose the claimed limitations of a child seat. Thus the rejection under 35 U.S.C. 102(b) is no longer applicable. Additionally, there is no suggestion or teaching as to why it might be appropriate to modify the disclosure of Darden under 35 U.S.C. 103 to render the claimed invention obvious.

In regard to claim 4, the swivel mechanism of Darden attaches to the down tube of the bicycle and is not concerned with the seat post or the position of the seat post of the bicycle.

In regard to claim 5, Darden does not disclose nor is Darden concerned with a quick release mechanism. Darden uses standard nut and bolt clamping which requires tools and time to remove.

In regard to claims 13 -15, Darden clamps directly onto the cross frame member and down tube, not to the handlebar stem or seat post tube. Thus, Darden fails to

Application No. 10/613,778
Art Unit: 3636

anticipate the claimed invention that requires the steps of clamping directly to the handlebar stem and seat post tube.

The Office Action further rejected claims 1, 2, 5-9, 13, 14, 16, 17 under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 4,305,532 to Reminger.

Reminger discloses a child seat attachment for a bicycle. The attachment includes a "frame member" that has a front notch that engages against the handlebar stem of the bicycle. The rear of the frame member merely engages without clamping the seat post of the bicycle. The attachment is held onto the bicycle by the engagement of the tapered notch 26 onto the handlebar stem. This is a less secure system than the positive seat post clamping mechanism as set forth in claims 1 – 20 of the present invention. The lack of the seat post clamping mechanism is not disclosed by Reminger, as the notch 24 does not clamp, and in fact is removed when used on a man's bicycle. Thus, the reference does not anticipate the invention as set forth in claims 1 – 20.

In regard to the method of claim 13, since Reminger fails to provide a clamping mechanism, it can not be inherent in the operation of the device of Reminger to provide the step of clamping the attachment to the seat post.

Claims 1, 2, 5, 8, 9, 13, 14, 17 and 19 were also rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 4,969,658 to Levarek et al.

Levarek et al. discloses a child's bicycle seat that is attached to a bicycle by a clamp on the front end of the frame member that clamps onto the bicycle stem and a rear clamp 22 that clamps onto the top tube of the bicycle. Nowhere does Levarek et al. disclose clamping onto the seat post of the bicycle frame. Thus Levarek et al. can not anticipate the claimed inventions of claims 1 – 20. Levarek et al. not only does not show the claimed limitation of a clamp attachment to the seat post tube but actually teaches away from this limitation. The present invention is intended for use on all bicycles regardless of the size, shape, or design of the top tube. The device of Levarek et al. is intended to clamp directly to the top tube, thus is limited to certain sizes, shapes and designs of the top tube.

In regard to claims 13 – 20, since Levarek et al. does not utilize a clamping attachment to the seat tube post of the bicycle, the step of clamping onto the seat post tube can not be inherent to the operation of the device of Levarek et al.

Application No. 10/613,778
Art Unit: 3636

Claims 1 – 3, 5, 8, 9, 12 – 14, 17, 19, and 20 were also rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 5,927,801 to Miree.

Miree discloses a bicycle seat attachment. In Figure 9, Miree discloses a clamping attachment to the handlebar stem of the bicycle and a clamping attachment to the seat post of the bicycle. Miree does not disclose an open ended yoke to allow quick attachment onto the bicycle handlebar stem. Thus, Miree fails to properly anticipate the claimed limitations of claims 1 – 20 of the present invention.

Claim 11 was rejected under 35 U.S.C. 103() as being unpatentable over Darden in view of U.S. Patent No. 6,173,980 to Newbold et al. Darden as discussed above fails to include the limitations of claim 1, including the clamping attachment to the seat post tube and the open end yoke attachment onto the handlebar stem. Newbold et al. fails to disclose, suggest or in any manner teach these limitations. Thus, there is no enablement for the modification of Darden to provide the clamping attachment or the open ended yoke attachment.

None of the cited prior art references disclose a child seat attachment for a bicycle that uses an open-end yoke for engagement onto a handlebar stem with a clamping attachment onto the seat post tube. This combination enables the attachment to be used on any bicycle regardless of the size, shape or configuration of the top tube and to allow for a quick release attachment onto the bicycle.

The Applicant respectfully submits that claims 1 – 20 as presently pending are thus allowable over the cited prior art. If further discussion would aid in the prosecution of this application, the examiner is respectfully requested to telephone the undersigned.

Respectfully submitted,

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